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10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 **CASE NO.: 2:18-cv-00619**

13 DEUTSCHE BANK NATIONAL TRUST  
14 COMPANY, AS TRUSTEE FOR MORGAN  
15 STANLEY HOME EQUITY LOAN TRUST,  
16 2006-1, a national bank

17 Plaintiff,

18 vs.  
19 PEPPERTREE HOMEOWNERS  
ASSOCIATION, a Nevada Corporation;  
TOW PROPERTIES, LLC V, a Nevada non-  
profit co-op corporation,

20 Defendants.

**STIPULATION AND ORDER TO  
DISMISS TOW PROPERTIES, LLC V'S  
COUNTERCLAIMS AGAINST  
DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR  
MORGAN STANLEY HOME EQUITY  
LOAN TRUST, 2006-1**

21 Pursuant to Federal Rule of Civil Procedure 41(a), Defendant TOW PROPERTIES, LLC  
22 V (hereinafter "TOW") and Plaintiff, Deutsche Bank National Trust Company, as Trustee for  
23 Morgan Stanley Home Equity Loan Trust 2006-1 (hereinafter "Deutsche Bank") (collectively,  
24 the "Parties"), by and through their respective counsel of record, hereby stipulate as follows:

25 1. On April 6, 2018, Plaintiff Deutsche Bank filed its Complaint in this action naming  
26 Peppertree and Tow Properties, LLC V as defendants related to a homeowners association  
27 foreclosure sale of real property located at 1865 Avacado Court, Henderson, NV 89014;  
(APN: 178-05-614-036) (hereinafter "Property")

1 2. On May 14, 2018, TOW filed a counterclaim against Deutsche Bank;

2 3. The Parties hereby agree that TOW's claims against Deutsche Bank shall be dismissed

3 with prejudice, and TOW and Deutsche Bank shall each bear its own costs and fees

4 related to this litigation.

5 4. Deutsche Bank asserts that it does not have a current ownership interest in title to the

6 Property.

7 5. This dismissal does not affect any rights, claims or defenses of TOW or

8 Deutsche Bank with respect to any other party related to the foreclosure sale of the Property.

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*Attorneys for Plaintiff Deutsche Bank  
National Trust Company, as Trustee for  
Morgan Stanley Home Equity Loan Trust  
2006-1*

## ORDER

Based on the foregoing stipulation, and good cause appearing,

**IT IS ORDERED** that TOW's Counterclaim against Plaintiff DEUTSCHE BANK is hereby dismissed from this case with prejudice.

**IT IS FURTHER ORDERED** that Plaintiff DEUTSCHE BANK has no present ownership interest in title to the Property, and title is quieted in TOW.

**IT IS FURTHER ORDERED** that each party shall bear its own attorneys' fees and costs.

**IT IS FURTHER ORDERED** that this dismissal does not affect any rights, claims or

defenses of TOW PROPERTIES, LLC V or DEUTSCHE BANK with respect to any other party related to the foreclosure sale of the Property.

## IT IS SO ORDERED.

DATED this 14th day of June 2019.

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U.S. DISTRICT COURT OR MAGISTRATE JUDGE

Respectfully submitted:

**LEE, HERNANDEZ, LANDRUM &  
CARLSON, APC**

By:

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